

Savol was alleged to be misbranded in that representations in the labeling that it would be efficacious in the treatment of nasal catarrh, hay fever, bites of animals, and irritation of the throat; and that it would be efficacious as a preventive of infected sores, abscesses, boils, felons, and all complications due to infections, were false and misleading since it would not be efficacious for such purposes. Savol Cream was alleged to be misbranded in that representations in the labeling that it would be efficacious as an antiseptic for cuts, bites of animals, all forms of piles, skin affections in general, sore throat, croup, enlarged glands, boils, felons, ulcers, eczema; or as an after treatment of boils, felons, carbuncles, and erysipelas, were false and misleading since it would not be efficacious for such purposes.

Both products were alleged to be misbranded further (1) in that their labels failed to bear the common or usual names of the active ingredients, and (2) in that the label failed to bear an accurate statement of the quantity of contents. Savol was alleged to be misbranded further in that its container was so made, formed, or filled as to be misleading.

On February 10, 1941, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

**524. Misbranding of Waft-Surgical. U. S. v. 19 Bottles of Waft-Surgical. Default decree of condemnation and destruction. (F. D. C. No. 3299. Sample No. 15982-E.)**

On October 28, 1940, the United States attorney for the Eastern District of Missouri filed a libel against 6 8-ounce bottles, 6 pint bottles, 6 quart bottles, and 1 gallon bottle of Waft-Surgical at University City, Mo., alleging that the article had been shipped by Waft Products, Inc., from Springfield, Ill., on or about August 31, 1940; and charging that it was misbranded. It was labeled in part: "Waft-Surgical Antiseptic-Disinfectant-Deodorant-Fungicide-Germicide-Parasiticide."

Analysis of a sample of the article showed that it consisted essentially of water, formaldehyde, small amounts of turpeneol, and a yellow-green coloring material.

It was alleged to be misbranded in that representations in the labeling that it would be efficacious as an antiseptic, disinfectant, fungicide, germicide or parasiticide in the dilutions suggested; that it would be of value as a wet dressing or irrigation in wounds in these dilutions; that it would penetrate the environment; that it would inhibit disease-producing micro-organisms; that it would be efficacious for the sterilization of surgical instruments and that it would be a reliable fungicide or germicide for animals, were false and misleading since it would not be efficacious for such purposes.

It was alleged to be misbranded further in that the label did not contain the common or usual names of the active ingredients.

On December 7, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**525. Misbranding of Common-Sense Liniment. U. S. v. 22 Large and 45 Small Bottles of Common-Sense Liniment. Default decree of destruction. (F. D. C. No. 3144. Sample No. 16818-E.)**

On or about October 7, 1940, the United States attorney for the Western District of Missouri filed a libel against 67 bottles of Common-Sense Liniment at Kansas City, Mo., alleging that the article had been shipped by T. H. Jackson & Co. from Quincy, Ill., on or about August 8, 1940; and charging that it was misbranded.

Analysis of a sample showed that the article consisted essentially of linseed oil, pine oil, guaiacol, paraffin oil, and a small amount of ammonia.

The article was alleged to be misbranded in that certain statements appearing in the labeling were false and misleading since it would not be efficacious for the purposes named in said statements. These statements represented that it was a penetrating, common-sense treatment for ailments of man requiring an external application; that it possessed healing and relieving properties; and that it would be efficacious in the treatment of muscular rheumatism, sciatic rheumatism, nervous headache, lame back, pains in the side and breast caused by colds or injuries, earache, partial deafness caused by cold, roaring in the ear, hardening of the wax and inflammation of the muscles and nerves of the ear, dryness of the ear drum, sore throat and neck, stiff joints and contracted cords, chilblains, frost-bitten and tender feet, corns, soft corns and bunions, sprains, bruises, all cuts, sores, and bites of poisonous insects. The said state-

ments represented that the article would be efficacious in the treatment of horses for all ailments requiring an external application; that when applied to the belly it would assist in drawing the blood to the surface and relieve the tendency to congestion of the bowels; that it had penetrating, healing and relieving properties; that it would allay inflammation, relax the cords and muscles, and aid the circulation of the blood to the diseased parts; that it would be efficacious in the treatment of coffin-joint lameness, sweeny, stone and bruised shoulder, sciatica or hip sweeny, sitfast, sore back, enlargement of the hock, contracted feet or hoof-bound, rheumatism, corns, thrush or rotten frog, scratches or grease-heel, founder, sprung knees, cocked ankles, weak eyes, and sores.

The article was alleged to be misbranded further (1) in that its label did not bear a list of the active ingredients; and (2) in that the label did not bear a statement of the quantity of the contents.

On November 14, 1940, no claimant having appeared, judgment was entered ordering that the product be destroyed.

**526. Misbranding of Apex Special Hair Pomade and Apex Pomento. U. S. v. 158 Cans of Apex Special Hair Pomade and 26 Cans of Apex Pomento. Default decree of condemnation and destruction. (F. D. C. Nos. 2345, 2346. Sample Nos. 24011-E, 24012-E, 24013-E.)**

These products were both short of the declared weight, and their containers were filled to approximately three-fourths of their capacity. The labeling of the Pomade bore false and misleading representations regarding its efficacy, and also failed to bear a statement of the common or usual names of the active ingredients.

On July 10, 1940, the United States attorney for the Eastern District of Pennsylvania filed a libel against the above-named products at Philadelphia, Pa., alleging that the articles had been shipped on or about July 1, 1940, from Atlantic City, N. J., by the Apex News & Hair Co. Inc.; and charging that they were misbranded.

Analysis of a sample of the Pomade showed that it consisted of a small proportion of coal tar incorporated in petrolatum.

Both products were alleged to be misbranded in that the following statements were false and misleading since they were incorrect: (Pomade) "Net Contents 3 Ozs. [or "Net Contents  $\frac{3}{4}$  Oz."]; and (Pomento) "Net Contents 1- $\frac{1}{2}$  Ozs." Both products were alleged to be misbranded further in that their containers were so made, formed, or filled, as to be misleading. The Pomade was alleged to be misbranded further in that the following statements on the can were false and misleading since they represented that the article was efficacious for the purposes recommended, whereas it was not efficacious for such purposes: (Cans, both sizes) "for stubborn cases of dandruff, thin and falling hair," (cans, 3-ounce size) "It aids \* \* \* in protecting the scalp from minor scalp ailments. Excellent for thin temples." The Pomade was alleged to be misbranded further in that its label failed to bear a statement of the common or usual names of the active ingredients.

On July 29, 1940, no claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

**527. Misbranding of Overnight Hair-A-Gain. U. S. v. 30 Packages of Overnight Hair-A-Gain. Default decree of condemnation and destruction. (F. D. C. No. 3364. Sample No. 45950-E.)**

On November 14, 1940, the United States attorney for the District of Oregon filed a libel against 30 packages of Overnight Hair-A-Gain at Portland, Oreg., alleging that the article had been shipped on or about October 19, 1940, by Georgia O. George from Los Angeles, Calif.; and charging that it was misbranded.

Examination of a sample showed that the article was essentially a semi-solid soap with tar.

It was alleged to be misbranded in that the following statements appearing on the label created the false and misleading impression that its use would be effective in promoting the growth of hair: "Overnight Hair-A-Gain \* \* \* Blood Grows Hair (This product does not grow hair —The hair growing element comes from the blood) Hair grows from blood." It was alleged to be misbranded further in that the label did not bear the common or usual names of the active ingredients.

On January 9, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.